

October 19, 2001

Mr. Randy Koetter
Koetter Woodworking, Inc.
533 Louis Smith Road
Borden, IN 47106

Re: 019-13169-00079
First Reopening to Part 70 Operating
Permit
019-7067-00079

Dear Mr. Koetter:

Koetter Woodworking, Inc. was issued a Part 70 Operating Permit on November 12, 1998. The Office of Air Quality has determined that it is necessary to reopen your Part 70 permit. Notice of the permit reopening pursuant to 326 IAC 2-7-9(c) was provided on August 16, 2000. The notice was published in the newspaper on October 17, 2000. No comments were received during the 30 day public notice comment period and the change is incorporated into your Part 70 permit.

As stated in the Notice, the language in 40 CFR Part 70.6(c)(5)(iii)(B)) was changed from "continuous or intermittent compliance" to "based on continuous or intermittent data" as part of the U.S. EPA's 1997 Compliance Assurance Monitoring rule making (Federal Register Volume 62, page 54900-54947, Wednesday, October 22, 1997). The U.S. District Court of Appeals, Washington D.C. ruled against EPA's language, saying that the Clean Air Act wording of continuous or intermittent compliance had to be used. (NRDC vs. EPA, #97-1727) Therefore, the following change is being made to your permit to be consistent with state and federal law.

Condition B.11(c)(3) is revised as follows:

B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was ~~based on~~ continuous or intermittent ~~data~~;
 - (4) The methods used for determining compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ, may require to determine the compliance status of the source.

The name of IDEM's "Office of Air Management" was changed to "Office of Air Quality" on January 1, 2001. All references to "Office of Air Management" in the permit pages have been changed to "Office of Air Quality" and all references to "OAM" have been changed to "OAQ."

All other conditions of the permit shall remain unchanged and in effect. Please find enclosed the revised Title V Operating permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Janet Mobley, at (800) 451-6027, press 0 and ask for Janet Mobley or extension 2-8369, or dial (317) 232-8369.

Sincerely,

Original Signed by Paul Dubenetzky
Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

PD/jm
Attachments: Title V Permit
cc: File - Clark County
Clark County Health Department
Air Compliance Section Inspector - Ray Schick
Compliance Data Section - Karen Nowak

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